

109TH CONGRESS
1ST SESSION

H. R. 3497

To ensure that when Federal law allows a court to award attorney fees to one party, the law must allow the court to award attorney fees to any party.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Mr. ISTOOK introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To ensure that when Federal law allows a court to award attorney fees to one party, the law must allow the court to award attorney fees to any party.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Loser Pays Legal Fee
5 Fairness Act”.

6 **SEC. 2. RECIPROCITY IN AWARDS OF ATTORNEY FEES.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, whenever Federal law provides a basis on
9 which a court may award attorney fees to one prevailing

1 party, the court may award attorney fees to any prevailing
2 party on that basis.

3 (b) EXCEPTION.—Subsection (a) does not apply to a
4 Federal law that provides a basis on which a court may
5 award attorney fees only to the United States.

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